

Principal factual issues that the parties dispute

1.11 Whether or not J & J properly secured its property before May 26, 2000.

1.12 Whether or not J & J Investment Management Company was negligent.

1.13 Whether J & J Investment Management Company's negligence, if any, was a substantial cause of the loss sustained by the Plaintiff.

Principal factual issues that the parties agree upon

1.20 None at this time.

Principal legal issues that the parties dispute

1.31 The parties dispute the legal cause of the fire: i.e., Staub or J & J.

1.32 The parties dispute the nature and scope of damages.

1.33 The parties dispute whether J & J was negligent.

Principal legal issues that the parties agree upon

1.40 Parties agree that any negligence on the part of Eric Staub is attributable to Plaintiff, the Ohio Casualty Group.

1.41 Parties agree that the Plaintiff has the burden of proving by preponderance of the evidence the fire was caused by the negligence of J & J.

1.42 The parties agree that the Plaintiff has the burden of proving any and all damages allegedly sustained as a result of the fire.

1.43 The parties agree that J & J has the burden of proving any comparative negligence on behalf of Eric Staub.

1.50 **Unresolved issues as to service, jurisdiction, or venue**

Defendant J & J Investment Management Company intends to file a Third-Party action against the contractor who secured the premises and, perhaps, another individual who was performing work at the premises around the time of the fire.

1.60 Named parties not served

See section 1.50 above.

1.70 Joinder of additional parties

See section 1.50 above.

1.80 Additional Claims

None.

2.0 Alternative Dispute Resolution

The parties do not consent to alternative dispute resolution at this time.

3.0 Consent to Jurisdiction by a Magistrate Judge

The parties do not consent to jurisdiction by a Magistrate Judge.

4.0 Disclosures

4.100 Witness disclosure

By Plaintiff:

Eric and Vinette Staub	Plaintiff
Lee McAdams	Expert
John Lyter	Adjuster
Mark Snyder	Subrogation Analyst
Greg Zapf	Subrogation Analyst
Dan Kennedy	Subrogation Analyst
Nick A. Boskovich	Subrogation Analyst
Robert Foltz	Ins. Repair Specialist
John Senft	Fire Chief
Troy Cromer	Officer
Charlie Robertson	Mayor
Tom Arnold	Lieutenant
Martin A. Durkin, Jr., Esquire	Attorney for Defendant
Blain Rentzel	Lost Home
Beronia Jackson	Lost Home
Dale Price	Lost Home
Annette Ocasio	Lost Home
Jennifer Melendez	Lost Home
Dwayne Crall	Lost Home

Scott Royster	Witness to Fire
Cricket Ilgenfritz	Witness to Fire
Bob Boettcher	Witness to Fire
Sterling Boettcher	Witness to Fire
Marc Steidler	Witness to Fire
Jesse Patterson	Witness to Fire

Plaintiff reserves the right to supplement these disclosures during the course of discovery.

By Defendants:

J & J Investment Management Company respectfully incorporates the witness disclosure list provided by the Plaintiff and will supplement this list shortly as initial discovery may warrant.

4.200 Categories of documents disclosed or produced through formal discovery

By Plaintiff:

Plaintiff has produced a complete copy of the claims file which included an itemization of all damages and expenses paid by plaintiff, the Ohio Casualty Group.

None to date.

4.300 Additional documents that will be disclosed

4.301 By Plaintiff: Plaintiff will supplement any discovery responses regarding additional expenses and claims which may arise.

4.302 By Defendant J & J Investment Management Company: Defendant will provide discoverable portions of J & J carrier's claims file, as well as photographs, recorded statements and documents concerning Plaintiff's damages claims.

4.400 Plaintiff calculations of damages and Defendant's offset

By Plaintiff:

Plaintiff has paid \$133,660.12 damages arising from this fire.

Defendants dispute all alleged damages sought by Plaintiff.

5.0 Motions

Plaintiff, the Ohio Casualty Group, reserves the right to file timely dispositive motions upon completion of discovery.

Defendant, J & J, reserves the right to file timely dispositive motions including Motions for Summary Judgment upon completion of discovery in this case. Defendants request 45 days after the close of discovery within which to file dispositive motions including, but not limited to Motions for Summary Judgment.

6.0 Discovery

6.100 Completed or in progress

None.

6.200 Discovery all parties agree should be conducted

The parties agree that depositions of all parties and potential witnesses will be taken.

The parties will exchange and answer written discovery.

6.300 Discovery that one or more parties want(s) to conduct, to which another party objects

None.

6.400 Subject area limitations on discovery that one or more parties would like imposed

None.

6.500 Recommended per-party or per side limitations on:

Depositions (excluding experts):	10 per party
Interrogatories to be served:	35
Requests for Production to be served:	35
Requests for Admission to be served:	25

6.600 Discovery deadline:

January 31, 2002

6.700 Reports from Retained Experts due:

January 31, 2002

6.800 Supplemental Reports Due:

February 15, 2002

7.0 Protective Orders

None sought at this time.

8.0 Certification of settlement authority

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9.0 Scheduling

9.1 Trial in approximately 400 days from filing of action.

9.2 Suggested date for trial: June, 2002

9.3 Suggested date for final pre-trial conference: May, 2002

9.4 Final date for joining additional parties: October 31, 2001

9.5 Final date for amending pleadings: October 31, 2001

9.6 All potentially dispositive motions should be filed by:

45 days after close of discovery

10.0 Other matters

None at this time.

11.0 Lead Counsel

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Date: 9/7/01

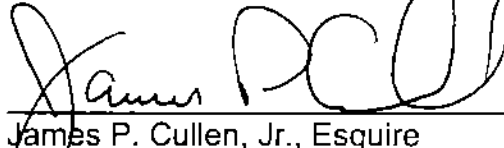
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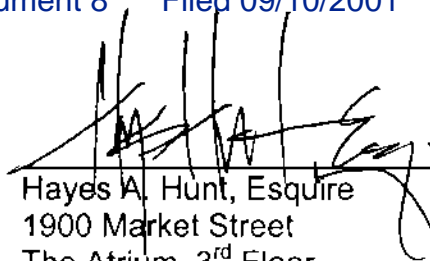
Dated: 9/7/01

COZEN AND O'CONNOR



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